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SUBJECT: TUNISIA: HUMAN RIGHTS DEVELOPMENTS

Classified by Ambassador Gordon Gray for reasons 1.4 (b) and (d).

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Summary  
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¶1. (C) The GOT has displaced a critic from his position as head of Tunisia's leading private university, a move perceived as retaliation for his recent book accusing the Ben Ali government and the First Lady's family of corruption and abuse of power. On January 30, a court rejected the appeal of dissident journalist Taoufik Ben Brik, sentenced to six months in a criminal case he and his supporters maintain was fabricated to punish him for his stinging criticism of Ben Ali and his family. A group of opposition figures and activists gathered at the DCM's residence described to visiting DAS Sanderson government harassment and interference they have suffered, but vowed to remain steadfast in their pursuit of human rights and political reform. End summary.

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GOT Removes Head of Private University  
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¶2. (C) The Tunisian Ministry of Higher Education announced on February 2 that it was suspending the authorization of a government critic to lead the Free University of Tunis, the most prestigious private university in Tunisia, for three years. The Ministry cited Mohammed Bouabdelli's "violations of pedagogical and administrative laws" governing private educational institutions. Bouabdelli, the majority stakeholder, and founder, of the Free University is considered a pioneer of private education in Tunisia. In the fall of 2009, he published "The Day I Realized Tunisia is No Longer a Free Country," a book recounting how the GOT ran his prestigious secondary school, the Lycee Pasteur, out of business, to eliminate the principal competitor for the Carthage International School, a private school founded in 2007 by First Lady Leila Ben Ali.

¶3. (C) Observers believe that the government action against Bouabdelli, overseen by new Higher Education Minister Bechir Tekkari, comes as retaliation against him for his book, in which he accused the First Lady and her family of corruption and abuse of power. The government appointed a caretaker administrator to replace Bouabdelli. Some Tunisian observers also believe that the government move on the Free University will reduce competition for the new Tunis branch of the University Paris/Dauphine, a business venture in which members of President Ben Ali's family are rumored to be key investors.

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Ben Brik Appeal Rejected  
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¶4. (C) Meanwhile, on January 30, the Tunis Court of Appeal confirmed a six month sentence against dissident journalist Taoufik Ben Brik, who had been convicted in November of

sexual assault, in a case Ben Brik and his supporters insist was fabricated to punish him for his scathing criticism of the Ben Ali government. LTDH, the Tunisian Human Rights League, condemned the court's rejection of the appeal, citing numerous irregularities in the prosecution's case and the court's consideration of it. Reporters Without Borders, the international NGO, also issued a condemnation of the ruling.

¶5. (C) Ben Brik's case spurred tensions between the French and Tunisian governments in late 2009, when Foreign Minister Kouchner expressed concern about the case and the state of freedom of expression in Tunisia. Ben Brik's family has complained repeatedly since his arrest in October about arbitrary restrictions on their ability to visit him in prison, and about his lack of access to adequate medical care. Ben Brik reportedly suffers from Cushing's Syndrome and has been said to be in ill-health since his arrest.

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Oppositionists Vow to Struggle On  
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¶6. (C) During a January 25 dinner hosted by the DCM, a group of opposition party figures, independent journalists, and activists (protect all) told visiting DAS Sanderson that they were determined to continue their struggle for democratic reform in Tunisia, despite continuous restrictions and repression, stepped up in the past six months, they believed, in connection with the October 25 national elections. The group expressed delight at the Department spokesman's public criticism of the process, which they considered a highly effective warning to the Ben Ali government that it could not take good relations with the U.S. for granted.

¶7. (C) Naji Bghouri, leader of Tunisia's national journalists' syndicate, recounted how the group's leadership had been infiltrated and taken over by government loyalists in the summer of 2009. Mokthar Trifi, President of the LTDH, explained how extraordinary (and illegal) government restrictions effectively prevented the group from carrying out any meaningful reviews, investigations, or advocacy. Ahmed Brahim, the only true independent among Ben Ali's three "challengers" for the presidency, described the uphill battle he had waged to attract public attention to his campaign and the platform he was promoting.

¶8. (C) Retired Ambassador Ahmed Ounaies recounted the harassment he has endured from the government, including an article defaming his character in a newspaper linked to the Ministry of Interior, and even the attempt of a GOT agent to prevent his prominent participation in the funeral of distinguished Tunisian diplomat Hedi Annabi, who was killed in the Port Au Prince earthquake. There was consensus among participants that government political elites were feeling insecure as they groped for the means to handle the inevitable question of transition as Ben Ali begins his fifth five year term. Maya Jribi, Secretary General of the Party for Democratic Progress, and Mustapha Ben Jaafar of the Democratic Forum for Labor and Liberties, both stressed the important role of the U.S. in keeping pressure on the GOT to improve its human rights record and its tolerance for dissent.

GRAY